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I.—THE STELE INSCRIPTION IN THE ROMAN FORUM.

II.

The first inscription on the Stele, although occupying more lines, nine as against seven, including *loiquiod*, has fewer letters preserved, approximately 56 as against 64. It is accordingly more perplexing and I confess that I feel less confidence in the supplements, which I am about to propose. In fact my main purpose has been to fit what remains into a plausible context, to determine the general character of the inscription. It would be foolish to claim certainty for the particular phrases which I have suggested, and indeed in some cases I myself have made alternative proposals. Skutsch¹ remarks that "die erste Seite sich vor den andern durch Regelmässigkeit und Schönheit der Züge auszeichnet". The first line has, without interpuncts, the letters QVOIHO followed by the first hasta of a letter which may be M or N. Comparetti would read, *Quoi honce*, but *Quoi hom* is more probable, as this would explain the lack of interpunctuation, *hom* being enclitic; cf. *quoiha* in l. 13.² *Hom* survives, according to the view now generally held, in *eccum* = *ecce hom*. We should be greatly helped in the interpretation of the inscription if we knew to what *hom* refers. Comparetti supplied *logom*, forgetting that the earlier form would be *stlokom*. Enmann proposed *terminom*, but scholars have found a difficulty in explaining how any ordinance concerning a *terminus* should be in place in this part of the forum or in connection with the tomb of Romulus.³ A very

¹ Vollmöller, Jber. Rom. Philol. VI 1, 454.

² Thurneysen, Rhein. Mus. 55, 485.

³ One does not need to believe in an actual Romulus to find it plausible that the reputed eponymous founder of the city should have a tomb in the forum, the

natural supplement would be *kíptom* = *cíppum*. Greek inscriptions often contain definite directions for the setting up of one στήλη¹ or of several, and occasionally name the penalty to be incurred for any violation of the same. Thus, in an inscription of Rhodes of the third century B. C. (ZP. II, n. 145), provision is made for the erection of three στήλαι at different points. An interesting feature of this inscription is the formula near the end, *ὅτι δὲ καὶ τις παρὰ τὸν νόμον ποιήσῃ, τό τε ἱερὸν καὶ τὸ τέμενος καθαιρέτω καὶ ἐπιρξέτω, ἢ ἔνοχος ἔστω τῇ ἀσεβείᾳ*. (Compare *sakros esed* and *loustratio*, which I read in l. 5). An inscription found near the village of Remoustapha in Messenia (ZP. II, n. 59) has at the end, *τὰν δὲ ῥήτρην ταύταν γράψαντες ἐν στάλαν λιθίαν ἀνθέντω τοῖ βίδυιοι ὑπὸ τὸν ναὸν τῆς Δάματρος*. Compare Dessau 139 (Cenotaphium Pisanum), l. 29, *cíppoque grandi secundum aram defixso hoc decretum cum superioribus decretis incidatur insculpaturve*. An inscription given by LeBas-Waddington, 1764 a (Oeoniae), contains these words: *ὁς ἂν τὴν στήλην ἀφανίσῃ ἢ τὰ ἐν αὐτῇ*

old market-place. We find references to graves in the market-places of many Greek towns, of distinguished men, in some cases attended with divine honors; e. g., at Elaea, of Thersander (Paus. 9, 5, 14); at Amphipolis, of Brasidas as founder and preserver (Thuc. 5, 11); at Syracuse, of Timoleon (Plut., Tim. 39); at Elis, of Oxyllus as founder (Strabo 10, 463; cf. Paus. 6, 24, 9); at Mantinea, of Podares (Paus. 8, 9, 9); at Sicyon, of Aratus (Plut., Arat. 53, *τόπον ἐξελόμενοι περίοπτον ὥσπερ οἰκιστὴν καὶ σωτήρα τῆς πόλεως ἐκήδευσαν καὶ θύουσιν αὐτῷ θυσίαν, τὴν μὲν, ἢ τὴν πόλιν ἀπήλλαξε τῆς τυραννίδος ἡμέρα καὶ τὴν θυσίαν ἐκείνην Σωτήρια προσαγορεύουσι, τὴν δὲ τοῦ μηνὸς ἐν ᾧ γενέσθαι τὸν ἄνδρα διαμνημονεύουσι. Τῆς μὲν οὖν προτέρας τοῦ Διὸς τοῦ Σωτήρος κατήρχετο θηηπόλος*); at Megalopolis, of Philopoemen, attested by an insc., Dittenberger,² 639 (*ιδρύσασθαι δὲ εἰς τιμὰν αὐτοῦ ἐν τῇ ἀγορᾷ τὸ μνᾶμα καὶ κτίσαι μετὰ ταινίας τὰ ὅστέα καὶ βωμὸν κατασκευάσαι λευκόλιθον ὡς κάλλιστον καὶ βουθυτεῖν ἐν τῇ ἀμέρᾳ τῇ Διὸς Σωτήρος*; so Ditt.). Perhaps the sacrifice of oxen to Juppiter Territor may have been connected in a similar way with the cult of Romulus. See also Roscher's Lex. I 2, col. 2516 ff., *Die Heroisierung verstorbener Menschen*; Rohde, *Psyche*³ I, p. 159 ff.; II, p. 350 ff.

¹ Compare Dittenberger² 635 (Athens), l. 23, *ἀναγράψαι δὲ τόδε τὸ ψήφισμα . . . ἐν στήλῃ λιθίνῃ καὶ στήσαι ἐν τῷ τεμένει τοῦ Διονύσου*. Collitz-Bechtel 4530 (Laconia), l. 35, *ἀναγραφάντω . . . εἰς στάλαν πετρίναν ἐν τοῖ ἱεροῖ τῷ Ἀπόλλωνος*. See also Athen. VI 27, *κὰν τῷ ἀνακείῳ ἐπὶ τινος στήλης γέγραπται * τοῖν δὲ βοοῖν τοῖν ἡγεμόνιν τοῖν ἐξ αἰρουμένων (cf. *uxmenta kapia*), τὸ μὲν τρίτον μέρος εἰς τὸν ἀγῶνα τὰ δὲ δύο μέρη τὸ μὲν ἕτερον τῷ ἱερεῖ, τὸ δὲ τοῖς παρασίτοις*. It is not without interest to note that this inscription refers to the Dioscuri, whose worship, according to Helbig, was introduced very early in Rome, probably before the fifth century. With the cult probably came the *leges sacrae*.

γεγλυμμένα ἢ μετὰρ αὐτήν, αὐτὸν ἐξώλῃ καὶ γένος αὐτοῦ.¹ An inscription from Olympia (Jahreshefte d. Oest. Arch. Inst., 1898, p. 197), closes with the words αἱ δὲ τῆς ἀδεαλῶσαι ἐν τὰν στύλαν ὡρ ἀγαματοφώραν ἐόντα πάσχην, which Szanto translates "Wenn aber jemand auf der Stele auslöscht, so soll er Strafe leiden wie ein Dieb von Götterbildern". Similarly, Dittenberger² 602 (Iasos), ἣν δὲ τις τὴν στήλην ἀφανίσῃ ἢ τὰ γράμματα, πασχέτω ὡς ἱερόσυλος.² These two inscriptions have suggested to me a restoration to which I shall recur later, *Quoi hom . . . violasid patitod quam sei sakros esed*; but it must be granted that such a formula, if relating to the *cippus* itself, would be more in place at the end than at the beginning of an inscription.³ For this and for other reasons, which will appear later, it seems to me more probable that the inscription has to do with a sacred grove or a sacred tree. "The groves were God's first temples", says our American poet Bryant, and Pliny before him had written (N. H. 12, 1) "Haec fuere numinum templa priscoque ritu simplicia rura etiam nunc deo *praecellentem arborem* dicant, nec magis auro fulgentia atque ebore simulacra quam *lucos* et in his silentia ipsa adoramus". In the *Liber Coloniarum* (Lachmann, Grom. I, p. 241), under *Provincia Dalmatarum*, we read, "In quibus locis arbores intactae stare videntur, in his locis veteres sacrificium faciebant".⁴ The sacred

¹ This formula must be very old. Lehmann (Klio 3, 325) says of it, "Sie sind die wörtliche Uebersetzung der ständigen Fluch-formel der babylonisch-assyrischen wie der ihnen nachgebildeten vorarmenisch-chaldischen Keil-inschriften", referring also to Zeits. d. Deutsch. Morg. Gesellsch., 1902, p. 109, where he gives a translation of an inscription of Chaldea of the seventh century B. C., which I quote only in part, "wer diese Stele zerstört, wer sie beschädigt, wer ihren Standort verändert, wer sie mit Erde bedeckt, wer sie ins Wasser wirft, . . . die Götter mögen seinen Namen, seinen Samen, seine Nachkommen aus den Landen vertilgen". Compare Collitz-Bechtel 5632 (Teos) at the end, Ὃς ἂν ταστήλας ἐν ἡμῖν ἡπαρὴ γέγραπται ἢ κατὰξει ἢ φοινικία ἐκκόψει ἢ ἀφανέας ποιήσει, κείνον ἀπόλλυσθαι καὶ αὐτὸν καὶ γένος τὸ κείνον. Cf. Ziebarth, Der Fluch im griechischen Recht, Hermes 30, 57-70.

² Compare CIL. VI 29938, qui vendiderit sive titulum eraserit; VI 29913, 29923, and Wamser, De Iure Sepulchrali Romanorum quid tituli doceant, p. 30 ff.

³ That a piacular offering might be made in connection with the restoration of an inscription appears from CIL. X 8259, et scripturam tituli at pristinam formam *restituere piaculo prius* dato operis faciendi *ove atra*, but here there is reference to the removal of a tomb, and a piacular offering in connection with the violation of a grove is certainly much more probable in our inscription.

⁴ Cf. Livy 3, 25, 7; Ovid, Fasti, 3, 295.

groves¹ of Rome have been well treated by Giorgio Stara-Tedde (Bull. Arch. Comm. di Roma, 1905, 189-232). The number of such groves was great; and although we may not be able to prove the existence in the earliest period of a grove or sacred tree near the Stele, there is nothing to disprove it, and the existence of such a grove or tree in connection with a heroon is *a priori* most probable.² At the foot of the Capitol was the grove of Silvanus. Aust (Religion der Römer, p. 41) says, "Vielleicht waren auch die heiligen Bäume Roms, wie die alte Eiche auf dem Capitol, und der Feigenbaum, *Ficus Ruminalis*, auf dem Comitium, nur die letzten Zeugen eines reicheren heiligen Waldbestandes". Festus, p. 62, says, "Fagutal sacellum Iovis, in quo fagus arbor, quae Iovis sacra habebatur" (cf. Varro, L. L. V 49). For inscriptions in connection with such trees see Pliny (N. H. 16, 237), "Vetustior autem urbe in Vaticano ilex, in qua titulus aereis litteris Etruscis³ religione iam tum dignam fuisse significat". Possibly

¹ On the general subject of tree worship, besides the well-known work of Boetticher "Ueber den Baumkultus" see the article on *Arbores sacrae* in Daremberg-Saglio, Curtiss, Primitive Semitic Religion today (1902, p. 90 ff.); Winter, Die Birke im Volksliede der Letten (Arch. f. Relig., Wiss., II 16 ff.); Hirt, Die Indogermanen, p. 738 ff.; Rohde, Psyche³ I, p. 191.

² Whoever has read the articles of Boni, Hülsen, Pais, Studniczka, Pinza, Petersen, and others on the *lapis niger* and the various monuments associated with it, will know how little agreement has been reached among archaeologists as to the date of these objects. In the latest article known to me, Petersen (Roem. Mitteilungen 21, pp. 193-210, Comitium und Rostra) defends the position taken in his earlier work (Comitium, Rostra, Grab des Romulus, Rome, 1904), in which he claims that the Stele is older than the tomb in its present position. In his diagram, p. 10, the position of the earlier tomb (Grab I?) is marked by *a*, and is at quite a little distance from the present tomb (Grab II=E). But if the tomb was renewed, it is possible that the *cippus* was renewed too (see Studniczka Jahresh. d. Oest. Arch. Inst., 6, 155), and that its inscriptions were copied from an earlier *cippus*, perhaps already in a mutilated condition. Thus perhaps might be reconciled the view (e. g., of Pais) which puts the inscription in the fourth century, with the view which, on account of the language, puts it in the sixth or seventh century. It is to the earlier date that my contention for the sacred tree would apply.

³ Dionysius (IV 26) says of an old *στήλη* in the temple of Diana on the Aventine, "αὐτὴ διέμενεν ἡ στήλη μέχρι τῆς ἐμῆς ἡλικίας ἐν τῷ τῆς Ἀρτέμιδος ἱερῷ κειμένη, γραμμάτων ἔχουσα χαρακτήρας, οἷς τὸ παλαιὸν ἡ Ἑλλὰς ἐχρήτο". Either Pliny's description or that of Dionysius might have been used of the Stele of which, in the first official notice, Gamurrini (Not. d. Scav., 1899, p. 159) says, "incisa in grandi lettere di forma arcaico-greca assai somigliante a quella delle più antiche iscrizioni etrusche dell' Etruria marittima".

then our inscription refers not to a *lucus*, but to a single tree, and in connection with the tomb of Romulus one naturally thinks of the *figus* or *caprificus*. Pais goes so far as to say (Storia di Roma, p. 739), "Romolo non è, come da taluni si è pensato, un puro e vuoto 'eponimo', creato dagli antichi eruditi, ma una sol cosa con 'Iupiter Ruminus', Aug. d. c. d. VII 11, il dio onorato sotto forma di fico, analogo all' 'Iupiter Viminus' del Viminale Varro, L. L. V 51". While we cannot follow Pais here and elsewhere in his etymologies after the brilliant proof of Schulze (Eigennamen 580 ff.) that the names Roma and Romulus are of Etruscan origin, the importance of the *figus* or *caprificus* in the legendary account of Romulus and the founding of Rome is not to be doubted. In the fresco discovered at Pompeii in 1903¹ the *figus Ruminalis* appears, and according to Pais the *caprificus* is represented more than once in the landscape.² Of course it will be objected that *hom fikom* is impossible, as *figus* is fem.; but there are not a few instances of *figus* masc., and this may have been the original gender. Aufrecht (Rhein. Mus. 35, 320), in discussing *maritus*, which he derives from *mas*,³ says, "Um nur das grammatische im Auge zu behalten, scheint daraus zu folgen, dass weder *arbos* noch die Baumnamen der *o*- und *u*- Stämme ursprünglich im Lateinischen feminina sein konnten. Ausnahmen von der Regel giebt es ohnehin manche. Unser *Baum* blieb immer masculin, und im Skr. sind *vriksha*, *druma* und alle grossen

¹ See Not. d. Scavi, 1905, p. 93 ff.

² See Pais, Ancient Legends of Roman History, p. 47 ff., and for a more popular account, The Century, Vol. LXIX, p. 597 ff., with a color drawing after the original in the Naples Museum. On p. 601 Pais says, "The ancients considered the fig-tree but as a symbol of fruitfulness. A wild fig-tree, or, as the ancients called it, the *caprificus*, was present in nearly all the most sacred places of Rome, such as the Comitium, near the temple of Saturn, and at the Lacus Curtius. The shape of the fruit, and the milk which it gives, caused the ancients to apply to it the same name as that given to the breasts; namely, *ruma*. In its turn the conception that trees were sacred and animated by divinities caused the belief that the fig-tree at the base of the Lupercal was sacred to Jupiter Ruminus and to the pastoral goddess Rumina. All favors the belief that, just as there were cities in Latium called Ficana and Ficulea, so the most ancient community of the Palatine should have been called the city Rome from the sacred tree near the Lupercal and near the Porta Romanula".

³ Walde, Et. Wtb., abandons this derivation of *maritus*, but it seems to be entirely adequate for *marita* (*vitis*) and was without doubt the popular etymology; cf. Isidorus, Or. 9, 7, 2. See Brugmann, I. F. 21, 315, Die griechischen und italischen femininen Substantiva auf *-os*.

Bäume gleichen Geschlechtes". I may add that *vaṭa*, the banyan, or Indian fig-tree, and *pippala*, the holy fig-tree, are masc.; and Max Müller (India, What It Can Teach Us, 1883, p. 50) says of modern India, "In most villages there is a sacred tree, a pipal-tree (*Ficus Indica*) . . . generally supposed to be occupied by one of the Hindu deities". In Greek *συκῆ* is fem.; but both *ἐρινεός*,¹ and *τράγος* = *caprificus* (cf. Paus. 4, 20) are masc. *Arbor* in Latin is to be sure almost universally fem. The Thesaurus gives a few late exx. of the masc.;² and in CIL. XIII 1780 we find *aram et signum inter duos arbores* over against Pliny, N. H. 11, 83, *inter duas arbores*. Cato, Agr. 42, has *de eo fico* and Lucilius (198, Marx) has *primos ficos* of the fruit.³ I attach, however, especial importance to Macrobius, Sat. 3, 20, 3, "Tarquitius autem Priscus⁴ in Ostentario arborario sic ait:

arbores, quae inferum deorum avertentiumque
in tutela sunt, eas infelices nominant
alternum sanguinem filicem *ficum atrum*.⁵

In the same passage we have *pirum silvaticum*, although Varro, R. R. I 40, has *pirum silvaticam*. Paton, in a recent article (Rev. Arch., 1907, p. 52), speaking of caprification⁶ says, "The wild fig, although this is not a physiological fact,⁷ was regarded as the

¹ Conon in the passage cited later uses *ἐρινεός* both as m. and f.

² Appel, De genere neutro intereunte in Lingua Latina, p. 40, gives later exx. of *arbor* masc. and shows that names of trees are masc. in the Romance languages. So *fico* is masc. in Italian and the French speak of *le figuier ruminal*; cf. Daremberg-Saglio, l. c., p. 357, where two medallions of Antoninus Pius are given showing the *ficus Ruminalis*. In foot-note 13 are given the passages in which there is reference to a sacred fig-tree in Rome.

³ For other exx. of *ficus*, the fruit, masc. see Neue³ I 936 and ALL. X 256. On the other hand *ficus tuae* occurs in a Pompeian insc., IV 1820; and *ficus innata* in the Acts of the Arval Brethren, CIL. VI 2099.

⁴ On Tarquitius Priscus see especially Thulin, Italische Sakrale Poesie und Prosa, p. 1 ff., and for this passage p. 71.

⁵ Hipponax, Frag. 34, Bergk, has *Συκὴν μέλαιναν, ἀμπέλου κασιγνήτην*.

⁶ Cf. Reitzenstein, Der Anfang des Lexikons des Photios, p. 137, *ἀνθρίναστος συκῆ*, where *ἐρινεός* occurs as masc.

⁷ In direct opposition to this statement Hehn,⁷ Kulturpflanzen, p. 99 (cf. pp. 550 and 577), says, "Der sogenannte *Caprificus*, welcher sich vorzugsweise im wilden Zustande vorfindet, ist nicht, wie Graf Solms-Laubach anzunehmen geneigt war, die einzige wilde Urform der Kulturfeige, sondern er ist, wie Fritz Müller betonte und nachher Graf Solms (Bot. Zeitung, 1885, Nos. 33-36) bestätigte, die männliche Pflanze, die Essfeige, die weibliche Pflanze, welche in der Kultur weiter ausgebildet und fixiert wurde". Ramsay (Pauline and

male tree, the cultivated fig as the female. Helladius says the male *Pharmakoi* wore *black figs*, the female *white*". Frazer (Lectures on the early history of the Kingship, 1905, p. 270), discussing the *Nonae Caprotinae* and caprification, says, "The wild fig-tree is a male, and the cultivated fig-tree is a female"; (p. 272), "The association of the death of Romulus with the festival of the wild fig-tree can hardly be accidental, especially as he and his twin brother were said to have been suckled by the she-wolf under a fig-tree. The clue to the association is probably furnished by the old belief that the king is responsible for the fruits of the earth. We may conjecture that in like manner the Roman king was expected to make the fig-trees blossom and bear figs, and that, in order to do so, he went through a form of Sacred Marriage on the July day, when the husbandmen resorted to a more efficacious means of producing the same result". The term *ficus ruminalis* does not reveal its gender, but I must admit that in all the Latin versions of the legend, with the exception of some variants in Serv., Aen. 8, 90,¹ the adjectives and pronouns in agreement with it are feminine. Dionysius also, 3, 71, in the legend of Attus Navius, has *πλησίον τῆς ἱερᾶς συκῆς*. Plutarch, however, (Romulus 4) has Ἦν δὲ πλησίον ἐρινεὸς ὃν Ῥωμινάλιον ἐκάλουν, (Romulus 29) Καπρατῖναι μὲν αἱ νῶναι καλοῦνται διὰ τὸν ἐρινεὸν καπρίφικον ὑπὸ Ῥωμαίων ὀνομαζόμενον; cf. Plut., Camillus 33. Conon, c. 48 (cf. Rhein. Mus. 4, 529), evidently under the influence of Roman writers, has ἐρινεὸς both masc. and fem.: αὕτη (σκάφη) δὲ μετὰ πολλὴν φορὰν περὶ προῦχουσαν ἡὸνὰ κατίσχεται ῥίζαις ἐρινεοῦ, ὃς μέγας ἐκέισε ἐπεφύκει, and a little further on, δέικνυται δὲ μαρτυρία τῶν τότε παρὰ Ῥωμίοις ἐπὶ τῆς ἀγορᾶς ἐρινεὸς ἱερὰ, τοῦ βουλευτηρίου κικλίσσι χαλκαῖς περιειργομένη.² Pais (Storia di Sicilia, pp. 186 and 612) calls

other studies, p. 190) says, "The wild fig-tree, or male fig, is in appearance exactly like the fig-tree, so far as the ordinary person can detect. It very often grows on walls or stony places". How Pais is able to distinguish the *caprificus* from the *ficus* in the Pompeian fresco, I do not know.

¹ Thilo gives "*ficus ruminalis*, ad *quam* eiecti sunt Remus et Romulus, *quae* (*qui*, ASM) fuit ubi nunc est lupercal in circo *quamvis* ficum Ruminalem alii a Romulo velint *dictam* (*dictum*, F).

² On the basis of this and other passages (cf. Livy I, 36) Hülsen, *Formae Urbis Romae antiquae* (III A 1), has indicated the *ficus* by a tiny tree to the left of the steps of the Curia Hostilia. This, of course, does not make against the possibility of a *ficus* or *caprificus* existing 600 or 500 B. C. near the site of the Stele. A *caprificus* might spring up anywhere; cf. Hor., *Epod.* 5, 17, *sepulcris caprificos erutas*; Propertius 4, 5, 74; and Mayor's note on Juv. 10, 144.

attention to the fact that both the founding of Tarentum (Diodorus 8, 21) and that of Rhegium (Dionysius 19, 2) are connected in legend with a *caprificus*. In the former passage *τράγος* is used; in the latter, where there is reference to the union of vine and fig-tree, we have the words *ἄρρενα δὲ τὸν ἐρινεόν*. As we have evidence for *figus* masc., I see no reason why *caprificus* should not have been masc. in the earliest Latinity; cf. *oleaster* masc. and *pirus silvaticus* cited above. *Caprificus* is not found in Plautus, Ennius, Cato or Varro R. R. In Terence, Ad. 577, where it first appears, it is fem.; and there Donatus refers to Il. VI 433, where we have *παρ' ἐρινεόν*. Evans, on "Mycenaean¹ Tree and Pillar Cult" (Jour. of Hell. Stud. 21, p. 128), discussing the *Ficus Ruminalis*, says, "But there is nevertheless some interesting evidence that Rome herself was indebted to prehistoric Greece for some of the oldest elements of her religion;" and again, "The Sacred Fig-Tree in fact is in a very different case from the beech of Fagutalis, the oak of Feretrius, or the cornel of Quirinus, the cult of which may well have been brought with them by the Latin immigrants from the north of the Apennines. The sanctity of the fig-tree belongs essentially to the more southern Mediterranean climes. It was, as has been shown above, a sacred tree of the Mycenaean world; and its veneration was preserved to historic times on Laconian and Attic soil. At Rome too we find it traditionally connected with the most primitive element of Greece".² Wissowa, discussing Baumkultus in Pauly, col. 166, says, "Die Sitte, Bäume um das Grab zu pflanzen, ist uralt und schon durch Homer, Il. VI 419, bezeugt,³ . . . und findet sich noch heute in Griechenland und in Kleinasien, namentlich bei den Gräbern von vornehmen Türken oder mohamedanischen Heiligen". A writer in Folk Lore (XVII, 1906, p. 199), speaking of Egypt, says, "The Shêkh's tomb generally has a tree standing by the side of it, as the sacred tree stood beside the chapel of the local deity in the Egypt of the Pharaohs". Ramsay (Pauline and other Studies, p. 173), speaking of Asia Minor, says, "The tree nearest the spring

¹ Cf. also Karo, Altkretische Kultstätten, Arch. f. Relig. Wiss. 7, 142 ff.

² The parallels which he then gives to the fabled suckling of the twins are interesting but I have not room to quote them. It may of course be urged that all these legends are late inventions.

³ Keil (Rhein. Mus. 17, 67), discussing the spurious Calchas inscription, quotes the scholion of Tzetzes to Lycophron 980, ὁ Κάλχας αὐτοῦ κατεγέλα ὄθεν ὀργισθεὶς ὁ Ἡρακλῆς πατάξας αὐτὸν κονδύλῳ ἀπέκτεινε καὶ ἔθαψε περὶ τὸν ἐρινεόν.

is hung with patches of rag, fastened to it by modern devotees. The peasants' language is as poor as their ritual. If you ask them why they hang their rags on the tree, the one explanation is '*dede var*', 'there is a *dede*'. There can be little doubt that the idea of the sacred tree is older than the sculpture. *Dede* = 'father of the tribe or settlement'. With this primitive custom still preserved, may we not compare Romulus, the father of the settlement, and his sacred tree, the *figus*?¹

Pais (Ancient Legends, p. 34) says, "That the abyss of the *Lacus Curtius* extended toward the Volcanal and the *niger lapis* is deducible, I think, from the fact that Curtius was supposed to have precipitated himself into the abyss by starting from the temple of Concord, which overlooked the Volcanal and the Comitium". Again, on p. 283, "I think I have demonstrated that the marsh called Caprea was originally situated in the Roman Forum, where the *Caprificus*, or wild fig-tree, was, near the *puteal* of Navius and the tomb of Romulus. See my *Storia di Roma* I 2, p. 741. Indeed, as I have stated in the chapter on the 'Origins of Rome', all the evidence favors the belief that the *palus Caprea* was at the foot of the *figus Ruminalis*; that is, in the Velabrum Maius".² I would then propose to read, tentatively, *Quoi hom (honke ?) kaprifikom violasid* or, if one prefer, *loukom*. The form *loukom* is required by the Osc. *lúvkei* and by the Lex Spoletiana (Dessau 4911), which I quote here entire for convenience of reference, "honce loucom ne qu[i]s violatod, neque exvehito neque exferito quod louci siet, neque cedito, nesei quo die res deina anua fiet; eod die, quod rei dinai cau[s]a [f]iat, sine dolo cedre [i]icetod. Sei quis violasit, Iove bovid piaculum datod; sei quis scies violasit dolo malo, Iovei bovid piaculum datod et a. CCC moltai suntod. Eius piacli moltaique dicator[ei] exactio est[od]".

¹ For graves planted with trees see Altmann, *Die römischen Grabaltäre der Kaiserzeit*, p. 260 ff.; Rohde, *Psyche*,³ I 230.

² I need hardly say that this view does not accord with Hülsen, *Das Forum Romanum*. All that I am anxious to prove is the natural association of some *figus* or *caprificus* with the tomb of Romulus. The tree itself may have disappeared early, perhaps at the time of the Gallic invasion, and left no record of itself in literature. The *figus Ruminalis* was represented on the Ara Pacis (Not. d. Scavi, 1903, p. 553). A sacred fig-tree, not the *Ruminalis*, is represented on one of the balustrades of the Forum (Platner, *Topography of Ancient Rome*, p. 250; Hülsen, *Forum*, p. 88; see also p. 157, the relief of the temple of Vesta in the Uffizi, Florence).

The law against digging up olive trees in Athens is given by Pseudo-Demosthenes against Macartatus (1074).¹ Many Greek inscriptions give the penalties attaching to the violation of a sacred grove.² So PZ. II, n. 58 (Andania, about 90 B. C.), § 15, μηδεὶς κοπτέτω ἐκ τοῦ ἱεροῦ τόπου· ἂν δέ τις ἀλῶι, ὁ μὲν δούλος μαστιγούσθω ὑπὸ τῶν ἱερῶν, ὁ δὲ ἐλεύθερος ἀποτεισάτω ὅσον καὶ οἱ ἱεροὶ ἐπικρίνωντι; PZ. II, n. 34 (Attica, fourth cent. B. C.), μὴ κόπτειν τὸ ἱερὸν τοῦ Ἀπόλλωνος μηδὲ φέρειν ξύλα μηδὲ κούρον μηδὲ φρύγανα μηδὲ φυλλόβολα ἐκ τοῦ ἱεροῦ, followed by different penalties for slave and free man; PZ. II, n. 81, l. 11 ff., μηδὲ τῶν ἐνδημούντων ξένων δένδρα κόπτειν ἐν τῷ διασαφουμένῳ τόπῳ μηδὲ κολουεῖν (Ziehen renders κολουεῖν by *violare*). See also ZP. II, n. 87, n. 107, and n. 153; Dittenberger² 929, l. 82; Collitz-Bechtel 4629, l. 128, αἱ δὲ τίς καὶ ἐπιβῇ ἢ νέμει ἢ φέρει τι τῶν ἐν ταῖς ἡιορῇ γαῖ ἢ τῶν δενδρέων τι κόπτῃ, etc.; cf. Collitz-Bechtel 5027. *Violare* is supported, not only by the Lex. Spolet., but by the following passages: Paulus, p. 46, Capitalis *lucus*, ubi si quid *violatum est*, caput *violatoris* expiatur; Ovid, Met. 8, 741,

Ille etiam Cereale nemus *violasse* securi
Dicitur, et lucos ferro temerasse vetustos.

Cicero, pro Rabirio 7; Ovid, Fasti 4, 649, Silva vetus nullaque diu *violata* securi; Livy 29, 18, 18, Sed et nunc et saepe alias dea suam sedem suumque templum aut tutata est, aut a *violatoribus* gravia piacula exegit. *Violare*³ is especially common in sepulchral inscriptions. Compare CIL. I 1081 and 1241, VI 29913, V 7475; Dessau 8177, 8178, 8184, 8197, quicumque *violaverit* sive inmutaverit, sentiat iratos semper sibi. *Violavesit* might be read if space demanded, but *violasit* is supported by the Lex Spoletiana.

Pliny, N. H. 17, 267, says of Cato, "Idem arbores religiosas lucosque succidi permisit *sacrificio prius facto* cuius rationem pre-cationemque eodem volumine tradidit". The passage referred to is Agr. 139, Lucum *conlucare* Romano more sic oportet, *porco piaculo* facito, sic verba concipito, 'si deus, si dea es, quoium illud sacrum est, uti tibi ius est, *porco piaculo* facere, illiusce sacri coercendi ergo harumque rerum ergo, sive ego, sive quis iussu meo fecerit, uti id recte factum siet, eius rei ergo te hoc *porco piaculo inmolando* bonas preces precor, uti sies volens propitius

¹ Cf. also Paus. 2, 28, 7.

² Recently Hasluck has published a unique inscription from Cyzicus (Journ. Hell. Stud., 1907, p. 66), Ἰούλιος Πρεῖως παραγγέλλει πᾶσι τοῖς τὴν λευκέαν κόπτουσιν [δοῦναι?] δηνάριν καὶ . . .

³ Accordingly one might read, *hom tumolom violasit* or *hom stlokom violasit*.

mihi domo familiaeque meae liberisque meis, harumce rerum ergo macte hoc *porco piaculo immolando esto*'.¹ The Acts of the Arval Brethren² are full of references to expiatory sacrifices (often prospective) made necessary by the felling of trees, or the removal of trees which had fallen through decay or been struck by lightning. In the earliest inscription (CIL. VI 2023) preserved of the year 14 A. D. we have these words, as restored by Henzen: "*cum arbor vetustate in luco deae Diae cecidisset, ut ad sacrificium consumeretur neve quid ligni exportaretur*". Reference to a piacular sacrifice is first made for the year 38, April 18 (2028), "*ob ramum vetustate delapsus in luco deae Diae sacrificium piacularare fecit ramumque exportari iussit*". Similarly in 2029 (39 A. D.), 2053 (72), *piaculum* factum in luco deae Diae ob arborem quae a tempestate deciderat *per calatorem et publicos*; 2054 (75), 2059 (80), 2060 (81), 2065 (87), l. 20, *porcas piaculares* duas luco coinquendi et operis faciendi immolavit; and again, l. 55, quod ramus ex arbore ilicina ob vetustatem deciderit *piaculum factum est per calatorem et publicos*; cf. l. 65; 2066 (89), 2067 (90 and 91), 2068 (91 and 92), 2074 (101), 2075 (105), 2076 (117), 2078 (118), 2079 (119), 2080 (120), 2082 (125), 2083 (130), 32379 (145), 2086 (155 and 213), 2095 and 2096 (anni incerti), 2099 (183), quod in fastigio aedis deae Diae *ficus innata* esset, eruendam et aedem reficiendam, immolavit *suovetaurilibus maioribus*; also May 19, *porcilia piaculares* II luci coinquendi, etc.; and 184 A. D., May 18, 2104 (218), 2105 (221), 2107 (224), 2110 and 2116 (an. incert.).

In 2104 (218 A. D.), the same inscription which contains the Carmen Arvale, we find "Item IIII Kal(endas) Iunias in luco deae Diae Alfenius Avitianus promag(ister) ad aram immol(avit) porcil(ias) piacul(ares) II luci coinq(uiendi) et operis faciund(i); ibi vacc(am) honorar(iam) imm(olavit) et inde in tetrastylo revers(us) subsellis consed(it). Deinde reversus ad aram *extas* reddidit *porcilar(es)*. Item in circo in focolo arg(enteo) cespiti ornato *extam vacc(inam) redd(idit)*. In 2105, of 221 A. D., we have *piaculum factum* . . . in luco deae Diae ob ferri inflatione scripturae et scalpturae marmoris per Fl(avium) Archelaum c(larissimum) v(irum) fratrem Arval(em) et public(os) et a sacris, *porcam piacular(em)* struib(us) fertis et agnam, quorum *extae redditae* sunt. In 2107, of 224 A. D., ob ferri inflationem scriptur(ae)

¹ For a translation of this passage into Italian see De Marchi, *Il Culto Privato di Roma Antica* I, p. 132.

² Cf. Weisweiler, *JJ.* 139, p. 39 ff.

et scalptur(ae) marmor(is) causa immol(ante) ipso mag(istro) porcam et agnam struib(us) et fertis et *extas reddidit* ad aram. We have thus four examples of *extae* used as fem.¹ In the protocol of the year 87 (VI 2065) we have *exta aulicocta*² *reddidit*. The neut. *exta* and the fem. *extae* may both go back to an early period; cf. *serta* and *sertae*, *arva* and *arvas* (Naevius). With *extae* = *exsectae* we may supply *carnes*³ or *partes*.⁴ For *exta* cf. Seneca, Medea 733, *exsecta vivae viscera*; for the variation in gender, *prosiciae* and *prosicium* (Paulus, p. 282), quod prae-secatum proicitur. That the fem. was in use is shown also by Placidus (CGL. V 67, 28), *Extorum intestinorum*, *extorum* dicere debemus non *extarum*. Compare also the gloss (V 21, 23 and 67, 23), *exte: esse = extae: escae*.⁵ Outside of the Acts of the Arval Brethren, in inscriptions as in literature, *exta* seems to be used; cf. II 2395, *exta intra quadrata contra cremantur*; but it is not found in the index to the first volume of the Corpus. I propose to read, in l. 4, *extas porcil IASIAS = porciliarias = porciliares*, just as Enmann proposed *familiarias = familiares*. For the early use of *-arius* for *-aris* see Lindsay's note on Captivi 96, "The suffix *-arius* was much in vogue in early Latin, though later it was often supplanted by *-aris*". For the inscriptional use of *-arius* and *-aris* see Olcott, Studies in the Word-formation of the Latin Inscriptions, p. 183.⁶

¹ It is worthy of note that the protocol containing the Carmen Arvale, in which *extae* first occurs, contains other forms not found elsewhere; e. g., *lumemulia*, explained by Buecheler (ALL. I 109); *sumpuis*, defended by Brinkmann (ALL. XV 142).

² Paulus, p. 17, has *auliococia*, which may be correct, containing *coquia*, a verbal adjective like *loiquios* (cf. *lumemulia*). Plautus, Stich 251, has *exta cocta*. According to Johannes Schmidt the n. pl. *exta* might originally have been a collective fem. sg.; cf. Lindsay, Latin Language, p. 400. I of course am aware that there are many cases of a late change to fem. sg. from n. pl.; cf. ALL. 13, 467.

³ For *carnes = partes* cf. Walde, Et. Wtb.; Buecheler, Rhein. Mus. 38, 479, and ALL. I, 104.

⁴ Compare the gloss CGL. V 197, 1, *exta mediae pecudum partes*.

⁵ But see ALL. I, 115 and VI 277.

⁶ Cicero uses *volgaris*, but *volgarius* is found in earlier writers. In a phrase like pro Quinct. 56, *volgaria et obsoleta sunt*, *volgaria* might come from *volgaris* or *volgarius*; and confusion may have arisen in this way. It is not necessary to assume for every case a shortening of *-arius* to *-aris*; cf. Mohl, Chronologie du latin vulgaire, p. 285, and Neue³ Formenlehre 2, 158 ff.

The use of the pig as an expiatory offering, and to chthonic deities, is common to both the Greeks and the Romans. In a poem ("Contra clericos inherites et desides") quoted by Usener (Rhein. Mus. 24, 391), occur the amusing lines:

Qui non exercet mentem corpusque coerces
Est similis porco Libitina dignus et Orco.

In the sacrificial Calendar of Cos to which I have frequently referred in the first part of this paper, ZP. I, n. 8, B., l. 4, we have preserved the words *καθαλπεραι χοίραι*.¹

The technical word used in connection with offering *exta* is *reddere*.² Servius, commenting on *reddimus exta*, G. 2, 194, says, "sacerdotum usus est verbo: *reddi* enim dicebantur *exta* cum *probata* et elixa arae superponebantur". In the Acta Lud. Saec. of the year 204 we find *splanchna reddere*.³ Sueton., Aug. 1, has *exta Marti redderentur*; and Tacitus, Hist. IV 53, *lustrata suove-aurilibus area et super caespitem redditis extis*.⁴

At the end of l. 3 and the beginning of line 4 the letters preserved are *akros es/ed Sora*, although there is some doubt about the last letter.⁵ Scholars generally read *sakros* = *sacer*, but there is a difference of opinion as to the form *esed*. Dessau explains by *sacer sit*, which, so far as the form is concerned, is impossible; one would expect rather *sied*. Skutsch⁶ says, "*esed* (der Bedeutung nach *esto*, der Form nach schwerlich = *eset*, das in solcher

¹ The use of pig's blood in purification is abundantly illustrated by Frazer, Pausanias, Vol. III, pp. 297 and 593; and by Farnell, The Cults of the Greek States IV, p. 303, where he says of the pig, "It was preëminently the piacular animal". Harrison, Prolegomena to the Study of Greek Religion, p. 153, says, "The pig of purification was a ritual element so important that when Eleusis was permitted (B. C. 350-327) to issue her autonomous coinage, it is the pig that she chooses as the sign and symbol of her mysteries". The pig is often represented in reliefs; see Petersen, Ara Pacis, p. 56; Altmann, Die römischen Grabaltäre, p. 96. Hirt, Die Indogermanen, p. 289, finds it significant that in the *suovetaurilia* the *sus* takes the first place.

² Cf. Blecher, De Extispicio, p. 229; Wissowa, Religio 353; von Grienberger, Das Carmen Arvale, I. F. 19, 146.

³ Ephem. Epigr. VIII, p. 286.

⁴ For *dare exta* cf. Cato, Agr. 134; Ovid, F. 4, 908; Martial, II, 57, 4; for *porricere* (*proicere*), Macrobius, Sat. 3, 2, 2; Livy, 29, 27, 5; Varro, R. R. I, 29; Servius, Aen. 5, 238.

⁵ Cf. Rhein. Mus. 56, 163.

⁶ Vollmöller, l. c., p. 457, with a reference to Ceci, Rendiconti d. Ac. d. Lincei, 1899, 550.

Bestimmung ja kaum verständlich wäre, sondern vielleicht = *erit*, das hier wegen seiner ursprünglich konjunktivischen Natur noch die Secundärendung bewahrt hätte). Das Ganze also wie *patronus si clienti fraudem fecerit, sacer esto* (Serv., A. VI 609); si parentem puer verberit . . . , puer divis parentum sacer esto (Festus); und anderes in den sog. Königsgesetzen und den 12 Tafeln".¹ We might explain *esed* as *eset* if *censuere* preceded, as in the S. Cons. de Bacch., corresponding to ἐδοξεν τῇ βουλῇ in Greek inscriptions. I have proposed above (p. 375) a reading possible with *essed* on the analogy of πασχέτω ὡς ἱερόσυλος: *Quoi hom loukom (fikom) violasid patitod quam sei sakros esed*. Servius, A. 3, 57, commenting on 'sacra fames', says, "alii 'sacra' devota accipiunt unde et *ver sacrum*, alii *sacrum* pro *scelestum* vel *sacrilegum*". The active form *patitod* could be defended by Cic., de Leg. 3, 4, 11, "doceri a magistratibus privatisque patiunt". In a corrupt passage, de Leg. 2, 57, Cicero has "*porcam* heredi esse contractam, et habendas triduum ferias, et *porco femina piaculum pati*;" *patitor* is used twice by Plautus in As. 375. For *quam sei* compare CIL. II 1963 c, XXIX, tam iustus tutor esto, *quam si* is civis Romanus et adgnatus proximus civis Romanus *tutor eset*. One may also compare Charisius, K. I. 143 f. siremps lex esto *quasi sacrum* (*sacram*, codd.) *violaverit*;² Lex Agraria (CIL. I 200 c, 27), de eo agro *siremps lex esto quam sei* is ager . . . publicus fuisset; Lex Bantina (197, l. 12), *siremps lexs esto quasei sei* is haace lege pecuniam . . . exegisset. One might then propose *sirempse lex estod quam sei sakros esed*, but this would probably exceed the space, and for so early an inscription a more direct form seems probable. Moreover, we can support the use of a fut. *esed* = *erit* from Greek inscriptions. Dionysius, to be sure (VI 89), translates *sacer esto* by ἐξάγιστος ἔστω, and the imper. is doubtless more frequent in Greek. Reinach has recently published (Rev. d. Ét. Gr., 1906, p. 260 ff.) a series of sepulchral inscriptions of the Roman period from Aphrodisias in Caria. In n. 154 we have the formula ὁ ἐπιχειρήσας τοιοῦτό τι ἔστω ἀσεβῆς καὶ ἐπάρατος καὶ τυμβωρύχος καὶ ἀποτεισάτω τῇ κρατίστη βουλῇ ἀργυρίου δηνάρια βφ, etc. This formula is repeated with more or less variation in some fifteen inscriptions, but in n. 155 we find ὁ τοιοῦτό τι τολήσας ἔσται ἐπάρατος, etc.; in n. 168 and n. 177,

¹ For a full discussion of the formula *sacer esto* see Lange, Kleine Schriften II 91-125.

² For *sirempse* see Ritschl, Op. 4, 56, and Plaut., Amph. 73.

ἀποτείσει. In n. 184 ἔσται is due to conjecture.¹ In the XII tables 1, 4 we have “adsiduo vindex adsiduus esto; proletario iam civi quis volet, vindex esto”; but Cic., de leg. 2, 19, has “Qui secus faxit, deus ipse vindex erit”. Compare Collitz-Bechtel 5267 (Kyme, Euboea), *ἡὸς δ' ἂν με κλέφσει, θυφλὸς ἔσται*. Sometimes we have imp. and fut. combined; cf. Cagnat, Insc. Gr. ad res Rom. pertinentes 599 (Lycia), *ἄλλω δὲ μηδὲν ἐξέστω θάψαι τινὰ ἢ ἀσεβῆς ἔσται καὶ ἱερόσυλος καὶ ἀποτεισάτω*, etc.; 696 (Apollonia), *ἄλλω δὲ οὐδὲν ἐξεῖναι ἐγκηδεύσαι τινα, ἢ ἀμαρτωλὸς ἦτω θεοῖς χθονίοις καὶ ἐκτείσει*, etc.² Accepting *caprificus* we might read, with an average of eighteen letters to the line,³

QUOI HOM[kaprifikom
violasid s]AKROS ES
ED SORA[noi nei redide
sid extas porkil]IASIAS

Here *Soranoi*⁴ would correspond to the *θεοῖς χθονίοις* of the Greek inscription just given. For I accept Servius' statement (Aen. 11, 785), “Soranus vero a Dite, nam Ditis pater Soranus vocatur, quasi lupi Ditis patris”.⁵ In case *loukom* be accepted rather than

¹ For many similar inscriptions see Rohde, *Psyche*,³ 2, p. 342 f. G. Hirschfeld (Königsberger Studien, 1887, 83-144) has shown that such inscriptions imposing a fine are especially common in Lycia, and that the original formula is at least as old as the third century B. C., occurring in an inscription from Pinara (C. 4259), *ἐὰν δὲ τις παρὰ ταῦτα ποιήσῃ ἀμαρτωλὸς ἔστω θεῶν πάντων καὶ Λητοῦς καὶ τῶν τέκνων καὶ προσαποτεισάτω τάλαντον ἀργυρίου*. Similarly in another Lycian inscription, which can be dated about 240 B. C., from Telmessus (Bull. de Corresp. Hell., 1890, p. 164), which provides for an annual sacrifice (*θύειν κατ' ἐνιαυτόν . . . βούν τριετήν*), we find *ἀμαρτωλοὶ ἔστωσαν θεῶν πάντων*.

² In Lat. sepulchral inscriptions, where a fine is imposed, we find *det, dabit, dare debebit, inferet*, etc. For *exx.* see Wamser, *de iure sepulchrali Romanorum*, p. 33.

³ Let me say in advance that in regard to such forms as *redidesit* I feel quite uncertain as to the ending. Before rhotacism took place *-iso* rather than *-eso* may have continued to be the form of the fut. perf.; see Sommer, *Handbuch der Lat. Laut- und Formenlehre* 620 f. I do not accept *jovaset* of the Duenos insc. as = *iuverit*, and consequently that furnishes no proof of the ending *-set*, which may, nevertheless, be correct.

⁴ The dat. *Soranoi* is supported by *Numasioi*, by Faliscan *Sextoi* (cf. Schmidt, K. Z. 38, 31), and by the Ligurian (?) *tekialui, pivotialui* (cf. Hirt, *Die Indogermanen*, p. 564).

⁵ Wissowa makes a vigorous protest against Soranus (BPW., 1904, col. 1052) and Skutsch follows him. In the same year with the Stele was discovered the only insc. referring to *Soranus* (Not. d. Scavi, 1899, p. 48), giving *Sancto Sorano Apollini*. Basiner's discussion of Soranus in his “Ludi Saeculares”

fikom (*fikum* if 4th decl.) or *caprifikom* one might read *Quoi hom loukom conloukasid, coinquesid* combining with asyndeton,¹ such as is frequent in legal inscriptions, the *conlucare* of Cato, Agr. 139, with *coinquere*, so frequent in the Arval Acts. Whether *coinquesid* or *coinquisid* should be read or what would be the corresponding form of this verb in the early period is of course doubtful. In the Lex. Spolet. a distinction is made between the involuntary and voluntary violation of a grove and the word *sacer* is not used. In case of a violation done wittingly (*sciens, dolo malo*), in addition to the piacular offering, a fine is imposed. Whether such a commutation was allowed in the early period in Rome is doubtful. The evidence of the writers is against it, but the point seems to have been a debatable one. Macrobius, Sat. 1, 16, 10, says, "Praeter multam vero adfirmabatur eum qui talibus diebus *inprudens* aliquid egisset *porco piaculum* dare debere, *prudentem* expiare non posse Scaevola pontifex adseverabat, sed Umbro negat eum pollui, qui opus vel ad deos pertinens sacrorumve causa fecisset, vel aliquid ad urgentem vitae utilitatem respiciens actitasset".² Arnobius, 7, 8, scornfully says, "Quae causa est ut si ego *porcum occidero*, deus mutet affectum animosque et rabiem ponat?" I have not added *sciens*,

(Warsaw, 1901, in Russian) I only know from a review in Arch. f. Religionswissenschaft 8, p. 312, from which I quote in part: "Als Sonnengott konnte Soranus heitere und düstere Züge erhalten und an Dis wie Apollo angeglichen werden. Ebenso ist seine Genossin Feronia bald Juno, bald Persephone, denn sie ist Mondgöttin. Die Geschichte bei Verg., Aen. 8, 563 ff. (dazu Servius); Servius, Aen. 7, 800, sind astrale Mythen. Der doppelte Charakter des Latinischen Kultes, stimmt zu dem gleichen Charakter der Säkularfeier, auch weisen andere Tatsachen darauf hin, dass die Valerier von Alters her Sonne und Mond verehrten. Soranus und Feronia also brachten die Valerier aus ihrer Sabinischen Heimat mit nach Rom." Babelon, Mélanges Numismatiques (Troisième Série, 1900, p. 196), discussing the gens Valeria, takes a similar view. "Le culte de Jupiter enfant et de Veiovis était particulièrement en honneur à Faléries et dans le pays étrusco-sabin berceau de la *gens Valeria*". "Quant à Véjois il était assimilé à Apollon Soranus, qui avait un sanctuaire fameux sur le mont Soracte au pied duquel Faléries était bâtie". Solinus, 2, 26, says, "hi (Hirpi) sacrificium annuum ad Soractis montem Apollini faciunt"; cf. Silius It. 5, 175; 7, 662; 8, 492. It must be admitted that our knowledge of Soranus is very limited.

¹ Cf. Cic., de leg. 2, 62, si quis bustum aut monimentum aut columnam violarit, laeserit, fregerit.

² Cf. Varro, L.L. 6, 30; Cic. de leg. 1, 40; Fowler, Roman Festivals, 299; De Marchi, Il Culto privato di Roma Antica, 246 ff.

for one could hardly be said *conlucare lucum* without intention; but as in the case of the Arval Brethren, he might escape guilt by performing beforehand the piacular sacrifice. For *nei* (= *ni*) *redidesid.* compare laws of XII Tables 7, 7, *viam muniunto, ni sam dilapidassint, qua volet iumenta agito*; and inscriptions like VI 10298, *ni ita iurassit, multa esto*. Instead of a proviso with *ni*, some may prefer, on the analogy of some of the Greek inscriptions cited above, late as they are, to read *sakros esed Soranoi redet(d ?)que extas porkiliasias*. Possibly in so early an inscription *exsektas* should be written, which would give three more letters. In case one is unwilling to accept *extas porkiliasias* on the ground that *extae* is a late, and not an early form, it might be suggested to read *hostias kaviasias* = *hostias caviaries*. *Caviaries* is only known to us from Festus, p. 40, "*Caviaries hostiae dicebantur quod caviae, id est pars hostiae cauda tenus, dicitur, et ponebatur in sacrificio pro collegio pontificum quinto quoque anno*". This seems to point to a *lustrum*. Harper's dictionary says, "*victims* so called from *caviae*, the excrementary canal of animals". But I think Walde must be right in suggesting that *cauda tenus* is 'Volksetymologie' and that *caviae* = "Brandopferstück zu gr. *καίω*". *Caviae* would then be another verbal adjective like *loiquios*, and would be supported by Hesychius, *κήϊα· καθάρματα*, and by *κηῖαν* in ZP. II, n. 75, l. 34.¹

¹ The passage is unfortunately not complete and not clear. After and before a gap Z. reads *ἐς ἐφοδον θύεν ἐν Ἀνεμαίαις τρικτεύαν κηῖαν. τῷ τρικτεύαν κηῖαν*. I give a part of Ziehen's comment (II, p. 233), "*ἐς ἐφοδον θύεν* sc. *τοὺς ἱερομνάμονας* antequam fines Delphorum *ingrediebantur*. . . . *τρικτεύα* haud dubie idem atque Atticum *τρίττοια*. . . . *Sacrificium lustrale dici iam Boeckh, coll. Hes. s. v. κήϊα· καθάρματα* statuit et eiusdem sacrificium in introitu terrae sacrae fieri par est". Michel, n. 702, supplies *Ἀπόλλωνι* after *τῷ*. I leave to some one else the task of defending a reading like this for the Stele: Quoi hom stlokom (loukom)endofgrediētur sakros esed Soranoi nei redide|sit hostias kaviasias. I give him the benefit of the following suggestions, which amused me in a tired moment, when I was trying to solve the puzzle presented by Dionysius 1, 87 and 3, 1, and the much quoted passage from Festus on the Niger Lapis (cf. Otto, ALL. XII 104; Pais, Ancient Legends, p. 281). Dionysius, 1, 87, says of Faustus, *Τινὲς δὲ καὶ τὸν λέοντα τὸν λίθινον, ὃς ἐκεῖτο τῆς ἀγορᾶς τῆς τῶν Ῥωμαίων ἐν τῷ κρατίστῳ χωρίῳ παρὰ τοῖς ἐμβόλοις, ἐπὶ τῷ σώματι τοῦ Φαιστούλου τεθῆναι φασιν, ἐνθ' ἔπεσεν ὑπὸ τῶν εὐρόντων ταφέντος*; and in 3, 1, in similar language, but not as explicit, says of Hostilius, *θάπτεται πρὸς τὸν βασιλῆων ἐν τῷ κρατίστῳ τῆς ἀγορᾶς τόπῳ στήλης ἐπιγραφῇ τὴν ἀρετὴν μαρτυρούσης ἀξιοθεῖς*. Otto says, "Es hat nämlich aller Wahrscheinlichkeit nach die Varronische Zeit noch jene auf Hostus Hostilius bezogene

ZP. I 5 (Cos Calendar), l. 30, has *ἔπειτα ἄγοντι τὸν βοῦν καὶ τὸν καυτὸν*, etc., where von Prott comments: "Immolatur solitum piaculum *porculus* apte *καυτὸς* appellatus quia *ὀλοκαυτεῖται*"; cf. ZP. I. n. 6 (Cos), l. 12: *Ζηρὶ Μαχανῇ βοῦς κρίνεται . . . καθάπερ τοῦ Βατρομίου*

Inscript seen, and aus einem für sie zweideutigen Worte eine Beziehung teils auf jenen, teils auf Faustulus herausgelesen. Das scheint die scharfsinnige Ergänzung des Festusbruchstücks, p. 177 M., die wir Detlefsen verdanken, zu beweisen,—'Niger lapis in comitio locum funestum significat, ut ali, Romuli morti destinatum, sed non usu ob<venisse, ut ibi sepeliretur, sed Fau>stulum nutri<cium eius, ut ali dicunt Hos>tilium avum Tu<lli Hostilii Romanorum regis> cuius familia e<Medullia Romam venit post destructio->nem eius',—und die doppelte Deutung auf Hostus Hostilius und auf Faustulus wäre von dem auf der Inschrift gelesenen Namen Hostlus für *Fostlus* ausgegangen". If *Fostlus* were written FHOSTLVS this shrewd guess would gain in probability. Let us suppose however that the Stele had not remained intact down to the time of Varro, but had been broken in two, say during the Gallic invasion, and that the other part, much more mutilated, had been set up not far off. Weather-beaten, moldy inscriptions *in situ* are often not easy to read nowadays, although a little scraping and cleaning sometimes brings out the letters very distinctly. Of the first line of the second side of our inscription in this other part all that would remain might be SIT(?)HOSTIASKA (V would probably be illegible). Imagine some dim-eyed enthusiastic antiquary, by craning his neck, being able to make out the letters HOSTI ASKA (I leave out of consideration *sit*, being uncertain of the ending. It may have been broken off from the upper part of the Stele. If present, he may have interpreted it as *situs* or *sita*). It does not take him long to solve the puzzle. He sees no interpuncts. HOSTI is of course the genitive of Hostus. And ASKA? Why *aska* is the archaic form of *arca*, as *asa* of *ara*, *Lases* of *Lares*, not to mention other words that he knows in which *s* stands for *r* (being an ancient Italian, he is not familiar with the conditions of rhotacism laid down by 'la scuola di Lipsia'). At once he reports to a Learned Society that the monument marks the tomb of Hostus Hostilius commemorating his virtues (see Dionys. 3, 1). For *arca* cf. Pliny, N. H. 13, 84, Cassius Hemina vetustissimus auctor annalium—prodidit Cn. Terentium—effodisse *arcam* in qua Numa *situs fuisset*; and see the inscriptions quoted by Ruggiero (Dizionario epigrafico) s. v., *arca C. Sitti*, etc. Pardon the *jeu d'esprit*, grave critics, which I have thrust into a foot-note lest it be taken too seriously. With similar perverse ingenuity one might propose to read in l. 10 and following:

POPLIF[]V]CIOD IO VXMEN
ENOITALOTS]VATOD: AIPAK AT
M

letters of line 11 should have of course the retrograde form). Our antiquary, if he could only make out the end of the first line and the beginning of the second in the separate fragment, would find F[]VSTOL and, taking the old form [] as an A, get *Faustol*, which he might interpret as Faustulus. *Usto-latío* (the early form of *ustulatio*) might be regarded as a compound of *usto* = *καυτόν*, *καυστόν* (cf. *κῆῶν*) and *latío* = literally 'burnt-offering', not

τῷ Ζηνὶ τῷ Πολιτῇ κρίνεται καὶ χοῖρος προκαυτεύεται καὶ προκαρύσσεται καθάπερ τῷ Πολιτῇ. In Vergil VI 253, we have a reference to a holocaust to an infernal deity like *Soranus*:

Tum Stygio regi nocturnas inchoat aras
Et solida inponit taurorum viscera flammis
Pingue super oleum fundens ardentibus extis.

A part of Servius' comment I have given in discussing *viscera*. At the end he says, "quamquam *alii* pro parte totum velint, ut per *exta totum animal* intellegatur". If we could accept this view of '*alii*', which does not seem probable, and equate *hostiae caviares* with *καυτόν* = *porculus*, *hostias caviarias* would not be so very different from *extas porkiliasias*. Skutsch says in regard to this line, "Vor dem ersten *ia* ist auf der Photographie der untere Teil eines L oder (eckigen) S zu sehen". If it would be impossible to read V, *Kaviarias* is ruled out, although in itself it seems plausible.¹ With the remainder of the

'singeing'. It would be a pretty pendant to *hostias kaviarias*. We may recall the burnt offering of Catullus 36, 7 f.:

Scripta tardipedi deo daturam
Infelicibus *ustulanda lignis*;

and the compound *usto-latio* (cf. *oblatio*) may be earlier than the verb *ustulo*. It now remains for the archaeologists to determine by their precise methods what is meant by Dionysius' phrase ἐν τῷ κρατίστῳ τῆς ἀγορᾶς τόπῳ and then dig for the missing fragments of the Stele. I prefer of course to read *Vitulationem*.

¹ I anticipate that the objection will be raised that in the Acts of the Arval Brethren *extas porciliares* is only another way of expressing *porcas piaculares* and that (granting that we connect *Soranoi* ἀπὸ κοινοῦ with *sakros esed* and *redidesit*) female victims could only be offered to a female deity, and vice versa male to a male (cf. Krause, *De Romanorum Hostiis*, p. 8. In Greek we have, ZP. II, n. 57, Δεσποίνα χοῖρον ἄρσενά). But we are not certain of the restoration *Soranoi*, and *porkiliasias* may refer as well to a masc. **porcilius* (cf. Prellwitz, BB. 24, 97). Vergil, usually accurate in matters of ritual, has *porca*, A. 8, 641, where we might expect *porco*; see Servius, Quintilian 8, 3, 19, and the commentators. Corresponding to the diminutives *porcilia*, *porcellus*, we find in Greek in connection with the lustration of a theatre, PZ. II, n. 58, § 12, καὶ ὅταν ἐν τῷ θεάτρῳ καθαίρει χοιρίσκους τρεῖς (παρέχειν); cf. Pollux 8, 104 and Harpocration, s. v., καθάρσιον, ἔθος ἦν Ἀθήνησι καθαίρειν τὴν ἐκκλησίαν καὶ τὰ θεάτρα καὶ ὅλως τὰς τοῦ δήμου συνόδους μικροῖς πάνν χοιριδίοις. -ιδιον is of course a secondary suffix, cf. Brugmann, Gdr. 2, p. 121. *Porcilius* is found as a proper name. May it not stand for *Porcidius*, with *l* for *d*, as in *consilium* for *considium*? Compare *Ovidius*, *Hirpidius*, *Cervidius*, *Parfidius*, *Picidius*, *Ursidius*. *Haedilia*, the only parallel cited for *porcilia* (cf. Heraeus, ALL. 12, 78) might easily arise by dissimilation from *haedidia*, but this seems less likely. Compare Schulze, Eigennamen, p. 234; Klio, 3, 258 ff.; ALL. 6, 271; 14, 426 f.

inscription I must deal more briefly. I would supplement so as to read:

RECEI LO[ustratio esed (estod)
comvorsoi ad l]EVAM
QVOS RI[te probasid pe
kudes per sovo]M KALATO
REM HAP?[etod i(n)molatos

Lustratio with the dat. is supported by CIL. VI 821, vici censori lustratio erit idibus Septembribus. In X 3792 (found in the amphitheatre at Capua) *lustratio* ad flumen occurs twice. The expression *lustrum*¹ *missum* occurs three times in the Acts of the Arval Brethren,² always of extraordinary ceremonies in connection with catastrophes to trees. I quote only essential parts. CIL. VI 2107, for Nov. 7, 224, "Fratres Arvales in luco deae Diae . . . convenerunt et ibi immolaverunt, quod vi tempestatis ictu fulminis *arbores sacri luci* deae Diae attactae arduerint, earumque *arborum* eruendarum, ferro fendendarum, adolendarum, commolendarum, item aliarum restituendarum causa operisque inchoandi aras temporales sacras deae Diae reficiendi, eius rei causa *lustrum missum* suovetaurilibus maioribus;"³ in the same year, Dec. 10, "quod ab ictu fulminis *arbores luci sacri* deae Diae attactae arduerint, earumque *arborum* adolefactarum et coinquendarum, et quod in eo luco sacro aliae sint repositae et arae temporales refectae, ferri efferendi, huius operis perfecti causa *lustrum missum suovetaurilibus* maioribus". For the year 183, although the words *lustrum missum* are not used, the same ceremony seems intended = VI 2099, May 13, "in luco deae Diae . . . magister operis perfecti causa, quod arboris eruendae et aedis refectae, *immolavit suovetaurilibus*; and Feb. 8, operis inchoandi causa, quod in fastigio aedis diae Diae *ficus innata esset*, eruendam et aedem reficiendam, immolavit suovetaurilibus maioribus. So also in the defective protocol of the year 218 (containing Carmen Arvale), VI 2104, immolavit suovetaurilibus maioribus.

¹ *Lustrum* occurs in CIL. VI 422 connected with the *lucus Furrinae*; see Comptes Rendus de l' Académie des Inscriptions, 1907, p. 152. Deecke (Rhein. Mus. 39, 640) interprets Etrusc. *lursθ* as *lustrum*.

² Compare the Commentary of Henzen, p. 143, the new fragment published in Not. d. Scavi, 1899, p. 268, and Pauly-Wissowa, Arvales Fratres, col. 1481.

³ Cf. Livy 21, 62, 7 and 10, Iam primum omnium urbs *lustrata* est, hostiaeque maiores quibus editum est dis caesae.

Of *-evam*, at the end of l. 6, Skutsch says, "*-evam* ist ganz unklar; nicht *d]evam*¹ da für so alte Zeit nur *devam* denkbar, nicht *n]evam* neu, da der Wandel von *ev*: *ov* schon gemeinitalisch für unsere Inschrift auch in *iouxmenta* und *iovestod* belegt ist". No one has proposed *levam*, because we should naturally expect *laivam*;² and *levam* for *laivam* as *cedere* for *caidere* in Lex. Spolet. is not in the least probable. However Berneker (I. F. X 162) assumes *levus* to have been the original form. I give his words: "let. *láuns* 'link, übel' *l'auna puse* 'die linke Seite', Ich vergleiche abg. *lěvz* 'links' usw. Das let. weist auf **lěynos* (vgl. z. B. pr. *naunan* 'neu' aus **neynos* gegenüber *véos*). Die Bedeutung stimmt so trefflich, dass man entschieden bedauern würde, Slav. *lěvz* auf **laivos* zurückführen zu müssen; nicht wegen gr. *λαίος* 'links', denn dieses kann auf *lāvjo* zurückgeführt werden, wohl aber wegen des lat. *laevus* 'links'. Sollte indes es wirklich unmöglich sein, dass dieses für *lěvus* stünde, und sein *ae* einer Beeinflussung von *scaevus* 'links' gr. *σκαίος* zu danken habe? Dann hätte das let. Wort, das sonst vereinzelt und unerklärt dastünde, eine voll befriedigende Etymologie".³ *Lěvir*, for which we should expect *laevir*, is not found in any early writer, and Nonius' etymology "*quasi levus vir*" has no value. So also his derivation (51 M.) "*levum* significari veteres putant quasi a *levando*",⁴ quoting Verg., Georg. 4, 7, with *leva*. The Palatine MSS of Plautus often have *levus*, but in view of the common confusion of *ae* and *e* this has little weight. In fact the spelling *laevus* must have come in early, and is the usual one in Inscriptions (*ad laevam* occurs, I, 1027); so VI 10242, 10241, 30506; III 567; V p. 617, no. 5; VIII 2581; Not. d. Scavi, 1899, p. 26, in a fragment of Acta Arv. *Leva* does occur in a late inscrip-

¹Cf. Walde, Et. Wb., s. v. We have to be sure CIL. I, 814, *Devas Corniscas* but the insc. is not early enough to afford proof. Enman reads *ad Deivam devam*, but the stereotyped order seems to be *Dea Dia*. As so much of my restoration depends upon the acts of the Arval Brethren, I was inclined at first to accept *deivam devam*, but I have found no satisfactory supplements with this reading. Others perhaps may be more successful.

²Ludwig however, Prague, 1901, p. 5, does suggest *laevam* (*scaevam*).

³For other etymologies of *laevus* see Walde, and Rhein. Mus. 43, 399; K. Z. 37, 279 and 285. Prellwitz² has "*λαίος* link (Aesch.), **λαίFός* = lat. *laevus*, ksl. *lěvŭ* link. S. *λαρός*; oder zu *√ lēi*, *λάζουαι*". English *left* is of course not connected.

⁴It was reserved to a later age to give *Levant* < *levare* the meaning of East. Compare Milton's "the Levant and the Ponent winds".

tion (589 A. D.) in II 3420. In the acts of the Arval Brethren a phrase frequently repeated is "magister fratrum Arvalium manibus lautis velato capite sub divo culmine¹ (columine) *contra orientem*". *Ad levam* I take in our inscription in the sense of *contra orientem*. When the Roman augur faced the south² (*ad meridiem spectans*, said of Attus Navius, Cic., de Div. I, 31) he had the east on his left.³ Compare Varro, LL. 7, 7, "Eius templi partes quattuor dicuntur sinistra ab oriente", etc.; Festus, p. 502, "Varro, l. V epistolicarum questionum, ait, 'A deorum sede cum *in meridiem spectes ad sinistram* sunt parte mundi exorientes'"; Pliny 2, 142, "*Laeva* prospera existumantur, quoniam *laeva parte* mundi ortus est". Pliny follows this statement with a discussion of the Etruscan division of the *caelum* into sixteen parts. In view of the influence of Etruria upon Roman religion, it may be worth while to note that in the boustrophedon Etruscan inscription found at Capua, first published by Buecheler (Rhein. Mus. 55, 1 ff.), the word *leva*⁴ occurs in l. 4. Buecheler puts this inscription in the fifth century; Lattes makes it a century later.⁵ In the Agram inscription, which is certainly later than the Capuan, these words occur, which I give with Lattes' interpretation:⁶ "*laēs*", *laevi*, *laēti*, in sinistra, *laevisca*, *laeva*, *Laiscla*, Inferae (*Laevisculae*; cf. Arnob., 'dii laevi' per inferi), *hampe-s' lae-s'* forse *campi laevi* in senso augurale".⁷

My ignorance of Etruscan is profound, and I shall not attempt to prove that *leva* in the Capuan insc. has anything to do with these words or with the Lat. *laevus*. If it has, it proves that *levus* is the older spelling in Etruscan,⁸ and who knows but that the

¹ Cf. Henzen, Comment., p. 7; and ALL. X 276, Vitruvius 4, 5, 1.

² Compare especially Fries, Rhein. Mus. 55, 36 f.

³ For conflicting views see Pauly-Wissowa, *Augur*, col. 2341, and Wissowa, Religion d. Römer, p. 452.

⁴ In l. 15 *levaθtui* occurs; in l. 11, *is'umazuslevai* (*zusleve* occurs several times in the Agram insc.).

⁵ Atene e Roma III, p. 199.

⁶ Cf. Lattes, Studi metrici intorno all' iscrizione Etrusca della Mummia, 1895, p. 95; Rhein. Mus. 49, 320, 1904; Stud. It. di Fil. Class. XII, 1904, pp. 93 and 105 f.

⁷ Cf. Lattes, Saggi ed Appunti, p. 23.

⁸ As Etruscan is no longer admitted to be Indo-Germanic we should have to suppose that it borrowed *levus* from Latin or some other Indo-Germanic tongue. If the bold hypothesis put forth by Ridgeway (see London Athenaeum, May 4, 1907, and compare Merlin, L'Aventine, p. 27 ff.) be true, that

graver was an Etruscan workman? Torp, *Etruskische Beitræge* 2, p. 32, says, 'Der Osten war aber bei den Etruskern die linke, der Westen die rechte Seite (Mue-De. sic, II 131)', but he gives to *ραχ* the meaning of 'left', and on p. 47 translates "*ραχθ tura nunθ en θ*" "wenn du links (opfer) giebst, sprich", which if correct would illustrate *convorsoi ad levam*. I write *com-* rather than *con-* because of *convalem*, CIL. I¹ 199, 8, and *convovise*, 196, 13 (Sen. Cons. de Bacch.). As parallels I would cite Verg., A. XII 172, *illi ad surgentem conversi lumina solem*, on which Servius remarks, "*disciplinam caerimoniarum secutus est, ut orientem spectare diceret eum, qui esset precaturus*" (cf. A. 8, 68); Ovid, Fast. 4, 777, *haec tu conversus ad ortus*; Cic., de Cons. 58 (Baehrens, Frag., p. 301), *solis ad ortum convorsa* (Juv. 4, 120, in *laevum conversus* in literal sense); Tertullian, Apol. 16, Denique inde suspicio quod innotuerit nos ad orientis regionem precari; Valerius Flaccus 3, 437 ff.,

imperat, hinc alte Phoebi surgentis ad orbem
ferre manus, totosque simul procumbere campis.
tunc piceae mactantur oves, prosectaque partim
tergora, per medios partim gerit obvius Idmon.

Servius, A. 6, 244, *vergere* autem est *conversa in sinistram* partem manu ita fundere, ut *patera* convertatur, quod in infernis sacris fit, haec autem pertinent ad victimarum *explorationem*, ut si non stupuerint, *aptae probentur*; Seneca, Thyestes 642, *conversa ad Austros*; Soph., Oed. Col. 477, *χαὸς χέασθαι στάντα πρὸς πρῶτην ἔω*; cf. Dionysius 2, 5. Petersen (Jahreshefte d. Oest. Arch. Inst., 1906, p. 309), discussing the Ara Pacis, says, "Der von Westen, der Eingangsseite, hinaufgestiegene Opferer blickte also, wie es üblich, gegen Osten".

the plebeian substratum of Latin is Ligurian, one might put in evidence for the vocalism at least that both Livy and Pliny speak of a Ligurian tribe of Laevi (some codd., *levi*). Schulze (Eigennamen, p. 178) cites Etruscan *leve levi* and (p. 33) Leus = Levus from Trident (CIL. V 5039, with *ae* preserved thrice in other words), of which he says, "es kann identisch sein mit dem Namen des am Ticinus sitzenden Ligurerstammes". *Livius* might be derived from *Lēvius*, as *filius* from *fēlius*. Cato, Orig. frag. 58, Peter, speaks of Egerius *Laevius* Tusculanus dictator, where many of the Priscian MSS point to *e* rather than *ae*-Gröber, ALL. 3, 512, says, *levisticum* statt *ligusticum* nach fr. *livèche*, ital. *levistico*, but this has no importance. However, the Indo-Germanic origin of the Ligurians is not yet proved; see Hirt, Indogermanen 563 ff. Modestov regards them as a pre-Aryan Mediterranean race (see Rev. Arch., 1907, p. 306).

The idea of reading *ad levam* was, however, first suggested to me not by the Acts of the Arval Brethren but by the Iguvian Tables. Compare the following passages, with Buecheler's translation:

I a 32, nertruks peři kapiře
peřum feitu. puni feitu. Api
suřuf purtius, etc.

VI b 37, Persondro staflare
nertruco persi fetu. Suront
capirse perso osatu, suror per-
snimu, puse sorsu.

VI b 39, enom vestisiam
staflarem nertruco persi, suru-
ront erus dirstu. enom peson-
dro sorsalem persome, pue
persnis fust, ife endendu,
pelsato.

ad sinistrum pedem¹ capidi
fossam facito, ubi porciliās por-
rexeris, etc.

Persntrum stabularem ad sin-
istrum pedem facito, item
capidi fossam facito, itidem
precator ut porcilia.

tum vesticiam stabularem ad
sinistrum pedem itidem erus
dato. tum persntrum por-
ciliarem in fossam ubi precatus
erit ibi imposito, pelsato.

Buecheler in his comment (Umbrica, p. 75) says, "porci solebant amburi in scrobibus, εὔστρα βόθρος ἐν ᾧ τοὺς ὕς εὔουσιν, εὔσανα ὄρυγμα ἐν ᾧ τοὺς ὕς βυθίζουσι (Aristoph., Eq. 1236, schol. Hesychius)." Paulus, p. 21, says, "altaria ab altitudine sunt dicta, quod antiqui diis superis in aedificiis a terra exaltatis sacra faciebant; diis terrestribus in terra, diis infernalibus in effossa terra". The scholiast to Eurip., Phoen. 274, says, ἐσχάρα² μὲν κυρίως ὁ ἐπὶ τῆς γῆς βόθρος ἐνθα ἐναγίζουσι τοῖς κάτω ἐρχομένοις, βωμός δὲ ἐν ᾧ θύουσι τοῖς ἐπουρανίοις θεοῖς; Porphyr., de antr. nymph. 3, τοῖς μὲν Ὀλυμπίοις θεοῖς ναοὺς τε καὶ ἔδη καὶ βωμοὺς ἰδρύσαντο, χθονίοις δὲ καὶ ἥρωσιν ἐσχάρας, ὑποχθονίοις δὲ βόθρους καὶ μέγαρα. Jane Harrison (Prolegomena to the Study of Greek Religion, p. 60) translates Athen. IX 78, 409 E, "Dig a trench (βόθυνον = βόθρον) to the west of the tomb. Then look along the trench toward the west (πρὸς ἐσπέραν βλέπε), pour down water saying these words: 'A purification for you, to whom it is meet and right'. Next pour down a second time myrrh". βόθρος is found as a gloss of *fossa*, *fovea*, *scrobis*; βόθυνος as a gloss of *fovea*, *scrobis* (compare Heraeus, Index Graeco-Latinus; CGL. VII 2). The scholiast on Statius, Theb. 4, 459, says, "tria sunt in sacrificiis deorum loca, per quae piationem facimus; *scrobiculo*

¹ So in speaking of the lustration of an army Livy, 40, 6, says, "caput mediae canis praecisae et pars ad dexteram cum extis, posterior ad laevam viae ponitur".

² On the meaning of ἐσχάρα see Furtwängler (Arch. f. Relig. Wissen. 8, p. 192).

facto inferis, terrestribus supra terram sacrificamus, caelestibus exstructis focus"; cf. Theb. 4, 502, "*Laevaue convulsae (convulsa, Mueller) dedimus carchesia terrae (terra, M.)*"; Ovid, M. 7, 243,

Haud procul egesta scrobibus tellure duabus
Sacra facit, cultrosque in guttura velleris atri
Conicit et patulas perfundit *sanguine fossas*.

Cf. Val. Flacc. 1, 735, in scrobibus cruor; and Sil. It. 13, 427 ff.,

Inducit iuvenem ferroque cavare refossam
Ocius urget humum atque, arcanum murmur anhelans,
Ordine mactari *pecudes* iubet. ater operto
Ante omnis taurus regi, tum proxima divae
Caeditur Hennaee casta cervice iuvenca.

Following these analogies one may perhaps prefer to read *fosad faktad ad levam, pateris*¹ *fuseis ad levam* or something similar. All things considered, I prefer *convorsoi ad levam*.

The phrase *rite probare* occurs in Ennius, Ann. 613 (Vahlen), ab *laeva rite probatum*. The reference is probably to an omen. Valmaggi (279) combines it with "tum tonuit laevom bene tempestate serena" = Vahlen, Ann. 527. Servius, commenting on Verg., Aen. XII 213 f.,

tum *rite sacratas*
in flammam iugulant *pecudes*,

says, "*rite exploratas* sollemnitate quam diximus supra". The reference is to Aen. 12, 170 ff.,

saetigeri fetum *suis* intonsamque bidentem
attulit admovitque *pecus* flagrantibus aris
illi ad surgentem conversi lumina solem
dant fruges manibus salsas et tempora ferro
summa notant *pecudum* paterisque altaria libant.²

¹ Cf. Stat., Theb. 4, 461 ff.,

iamque ardua ferro
signati capita et frugum libamine puro
in vulnus cecidere greges; tunc innuba Manto
exceptum *pateris* praelibat sanguen,

where the scholiast says, "primo est *sanguinem libare*, deinde immolare, tertio reddere, quarto litare". The Servius scholion on A. 6, 244, quoted above, with *in sinistram* partem, might be used to support the reading, *pateris fuseis* (*verseis* from *vergo*?) *ad levam*.

² Thus in Aen. 12, 170 ff. and 213 ff. we should have parallels for *convorsoi ad levam*, *rite probasit pecudes*, and *habetod immolatos*.

Servius' comment on 173 is "far et sal: quibus rebus et cultri aspergebantur et victimae, erant etiam istae *probationes* utrum aptum esset animal sacrificio". Compare Pliny, N. H. 8, 183, "quam ob rem victimarum probatio in vitulo ut (cauda) articulum suffraginis contingat, brevior non litant";¹ Serv., Aen. 6, 244, cited above (p. 395); Cicero, de lege Agr. 2, 93, erant hostiae maiores in foro constitutae, quae ab his praetoribus de tribunali, sicut a nobis consulibus, de consilii sententia *probatae* ad praecorem et ad tibicinem *immolabantur*"; Tertullian, Apol. 30, "ut mirer cum hostiae *probentur* penes vos a vitiosissimis sacerdotibus cur praecordia potius victimarum quam ipsorum sacrificantium *probentur*". On δοκιμασία see Plutarch, De Defectu Orac., c. 49; ZP. II, n. 58, l. 70 f., παριστάτω τὰ θύματα εὐίερα καθαρὰ δλόκλαρα, καὶ ἐπιδειξάτω τοῖς ἱεροῖς πρὸ ἡμερῶν δέκα τῶν μυστηρίων τοῖς δὲ δοκιμασθέντοισι σαρμείον ἐπιβαλόντω οἱ ἱεροὶ καὶ τὰ σαρμειωθέντα παριστάτω ὁ ἐγδεξάμενος; ZP. II, n. 94 c, l. 14 ff., δοκιμάζειν δὲ τὰ ἱερεῖα τοὺς προβούλους καὶ τὸν ταμίαν καὶ τὸν κήρυκα. Reading *quos rite probasit* we cannot, of course, supply *hostias* or *victimae*. *Sues*,² *oves*, *boves*, or *porcos* might be thought of; but I prefer *pecudes*, which is used as masc. by Ennius and other writers (see Neue³ Formenlehre I, 845). *Pecudes* and *pecus* are used in the Vergil passages cited above (Aen. 12, 170 and 213) and in Sil. It. 13, 429 to include various victims; and Servius, A. 12, 171, says, "primo adtulit, inde admovit *pecus*, id est *hostias*". Vitruvius, I, 4, 9, has *pecoribus immolatis*. The Greeks had a convenient expression τρίπτυα, τρίπτοια. Compare ZP. II, p. 10. For the separation of the relative *quos* from *pecudes* many parallels could be cited from early Latin; cf. Mil., Glor. 73, "*quos* consignavi hic heri *latrones*".³

Comparetti and Enmann both propose *per suom kalatorem*. The older form of *suom* would be *sovom*; cf. *soveis*, CIL. I¹ 1297; *sovom*, I¹ 588. In the Acts of the Arval Brethren *per calatorem* occurs frequently; cf. CIL. VI 2059 of 80 A. D., *piaculum factum per calatorem et publicos*; 2107 (225 A. D.), *immolavit ob ferri elationem scripturae et scalpturae et operis perfecti . . . per*

¹ On *litatio* cf. Blecher, de extispicio, p. 221, who, however, disapproves of Servius' explanation, A. XII 173.

² If we read *fosad faktad ad levam* perhaps *sues* or *porcos* would be better, especially if we read in l. 4 *hostias koviasias*.

³ For other exx. see Prescott, Thought and Verse in Plautus (University of California Publications, 1907, p. 254), and for Oscan and Umbrian see Altenburg, De Sermone pedestri Italonum vetustissimo, p. 530.

Porcium Philologum *calatorem* et per publicos fratrum Arvalium.¹ Compare Tac., A. 12, 8, 4, addidit Claudius sacra ex legibus Tulli regis piaculæque *apud lucum* Dianæ *per pontifices danda*. As to the reading *hap* < *etod* for *hab* < *etod* I have nothing new to add; see Otto, ALL. 11, 432; and for Oscan and Umbrian *hap*-, Buck, Grammar, p. 167. It might be explained if we suppose the graver to have been an Etruscan, although B appears occasionally in Etruscan monuments; *sipi* is found in CIL. III 4850, although the same inscription has *sibi*. The use of *habere* with the perfect participle has numerous parallels in literature¹ and in inscriptions. In the first volume of the Corpus, I note the following examples: 198, 14 and 18, *scriptos—discriptos habeto*; 58, *scriptum*; 206, 16 and 34, *propositum*; 54, *constratam*; 70, *inmolitum*; 71, *saeptum clausumve*. In the Laws of the XII tables 3, 4, *qui eum vinctum habebit*; cf. Dessau 6087, LXI, *Jure civili vinctum habeto*; CIII, *ne quis limites decumanosque opsaeptos neve quit immolatum neve quit ibi opsaeptum habeto*. Compare Macrobius, S. 3, 9, 9, in a carmen devotionis², ‘*uti vos eas urbes agrosque capita aetatesque eorum devotas consecratasque habeatis*’; Cicero, de leg. 2, 21, *templa liberata et effata (augures) habento*.

I have written *inmolatos* because the unassimilated form seems more likely for so early a period. Dorsch decides for *immolo* in Plautus. Keil adopts *inmolo* for Cato and Varro, R. R., with more or less support from the MSS. The index of Vol. I¹ of the Corpus does not give *immolo*, but similar forms are unassimilated. In the Ludi Saeculares insc. *inmolandarum*, *inmolanda*, and *inmolavit* occur. In the Acts of the Arval Brethren there are a few cases of *inm*- but *imm*- prevails largely. I have noted other cases of the unassimilated form in CIL. XII, 4333; XI, 3303; IX, 5845; VI, 30934; and I do not doubt there are others. In the Fasti Praenestini, I¹, p. 312, 10 & 17 *inmoletur* and *inmolant* occur. Festus, p. 7, has *agonium* dies appellatur quo rex hostiam *inmolavit*, but occasionally he too has *inm*-. Of course, if we accept the assimilated form we should write *imolatos* and save a letter.

To conclude, of the several forms of restoration, which I have proposed, I do not wish to give here the preference to any one, although in some cases I have already indicated my own prefer-

¹ For a historical treatment of this usage see ALL. 2, 372-423, 509-549, and 3, 532 ff.

² Cf. Thulin, Ital. Sak. Poesie and Prosa, p. 56.

ence. I believe that the inscription refers to a sacred tree or grove, the violation of which involves a curse and a piacular offering (*extas porkiliasias* or *hostias kaviarias*). As a consequence also a *lustratio* is prescribed to be conducted by the *rex*, who, after the selection of the proper victims (*rile probasid pekudes*), causes them to be sacrificed by his *Kalator*.

For convenience I give together the restorations proposed on p. 387 and p. 392 for lines 1-9.

QVOI HOM [kaprifikom
 violasid s]AKROS ES
 ED SORA [noi nei redide—
 sid extas porkil]IASIAS
 RECEI LO[lustratio esed
 comvorsoi ad l]EVAM
 QVOS RI[te probasid pe—
 kudes per sovo]M KALATO
 REM HAP? [etod i(n)molatos

I crave pardon of my readers for so long a paper. It would have been longer, had I taken up in detail the proposals of other scholars, or given all the conjectures as to *havelod* and other words that have occurred to me. Although I have read all the literature on the subject on which I could lay my hands, I may not have given due credit to other scholars for profitable suggestions. If this be so, I regret it. I realize that I have raised many new problems without settling them. Where I have failed, I hope others will succeed. Above all it is to be hoped that other early inscriptions of similar character will be found, which will clear up all our doubts.

NOTE.—The above treatment of the Stele inscription is the elaboration of a paper read in Washington, January 3, 1907, at the joint session of the Archaeological Institute of America and the American Philological Association. Brief abstracts of this paper have been printed in the American Journal of Archaeology, Vol. XI, p. 61 f., and in the Proceedings of the Philological Association, Vol. 37, p. XXXIII f.

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